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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,683	10/26/2001	Ivan Saltz	29890.010000	2416

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EXAMINER	
ALI, MOHAMMAD	

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/046,683	SALTZ, IVAN	
	Examiner	Art Unit	
	Mohammad Ali	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the Amendments filed on September 10, 2004.

Claims 1-8 are pending in this Office Action.

Response to Arguments

2. After further search and a thorough examination of the present application, claims 1-8 remain rejected.

Applicants' arguments with respect to claims 1-8 have been considered, but they are not deemed to be persuasive.

First, Applicant's argue that 'prima facie case of obviousness have not met.

In response to Applicants arguments, the Examiner respectfully submits prima facie case of obviousness have been met as explained in the office action. As explained in the last office action, Weitzman does not explicitly indicate the claimed "range of deviation". Fox discloses the claimed range of deviation (standar deviation are calculated without the largest n-gram frequency value. If the largest value fits within three standar deviation of the mean, then the number is used as the scaling factor, see col. 13, lines 32-35 et seq). It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references, because the range of deviation of Fox's teachings would have allowed Weitzman's system to retrieve a documents from a document database by providing users with multiple input interaction mode, in the search engine to limit the information, as suggested by Fox, at col. 3, lines 36-42 et seq.

Second, Applicant's argue that Weizman and Fox does not teach "a limit engine module interfacing with said database responsive to said user input interface for expanding a database user's query for specific data to include data within a programmable from said database user query".

In response to applicant's arguments the Examiner respectfully submits that Weizman teaches as a member module 24 is primarily directed to obtaining and servicing registered visitors or members of the search engine any user may use the search engine to identify resources of particular interest on the computer network. Where the computer network includes the Internet, the search engine preferably provides links to various websites on the Internet in response to the user entering a search query. Unregistered visitors or users may use the search engine as represented by block 76. Upon entering the search term or query, a corresponding search of one or more databases such as those stored in storage device 22 is completed. The search includes databases which are accumulated and indexed by various other search engines or computers on the network. The search may be limited to the particular database located on the computer providing the search engine interface, see paragraph 0037, Weitzman.

Third, Applicant's argue that Weitzman and Fox does not teach "wherein said limit engine is programmed to expand a database user's query for specific data to include data within fixed percentage of deviation from the database user's query".

In response to applicant's arguments the Examiner respectfully submits that Weitzman teaches as stated above and search results are displayed with paid

advertisers arranged in an order corresponding to their bid for placement associated with a particular keyword which matches the search term. The user then activates or responds to a particular listing by clicking on the associated link which redirects the user to the associated website or computer as represented by block 80. For listings corresponding to paid advertisers as determined by block 78, block 70 determines whether various criteria or charge constraints have been satisfied. The charge constraints or criteria may be used to impose a maximum number of credits for a predetermined time period for each registered visitor. Members limited to predetermined number of sponsors to a particular advertiser's website in a predetermined period. Members must visit or view the selected website for a predetermined time, such as 20 seconds or more, to receive credit for visiting the advertiser. Similar charge constraints imposed on members may also be imposed for advertisers, i.e. an advertiser account is not charged unless certain criteria or constraints are satisfied. In one preferred embodiment, the advertiser is charged only once for a particular user, whether or not registered, in a particular time period, such as 24 hours. Likewise, advertisers are preferably charged only if a visitor (registered or anonymous) clicks on a listed link and visits the associated website for a predetermined time period, such as 20 seconds or more (see para 0038, Weitzman).

Fourth, Applicant's argue that Weitzman and Fox does not teach "nothing about or similar to a method for providing database search query results,....".

In response to applicant's arguments the Examiner respectfully submits that Weitzman teaches applicant's claimed limitations as stated above.

Hence, Applicants' arguments do not distinguish over the claimed invention over the prior art of record.

In light of the foregoing arguments, the 103 rejections are hereby sustained.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weitzman et al. ('Weitzman' hereinafter), US PG Pub 2002/0099605 A1 in view of Fox et al. ('Fox' hereinafter), US Patent 6, 574,632 B2.

With respect to claim 1,

Weitzman discloses a database management system for use with a searchable computerized database (see paragraph 0015), comprising:

a database containing data items (the search includes databases which are accumulated and indexed by various other search engines or computers on the network. The search may be limited to the particular database located on the computer providing the search engine interface, see paragraph 0037, Weitzman);

a user input interface for receiving database queries for specific data from users of said database (the search may be limited to the particular databaselocated on the computer providing the search engine interface. The search term or query entered by the user is used to search a database stored on storage device in addition to one or more search engine available on the Internet, see paragraph 0037, Weitzman);

a limit engine module interfacing with said database responsive to said user input interface for expanding a database user's query for specific data to include data within a programmable from said database user query (member module 24 is primarily directed to obtaining and servicing registered visitors or members of the search engine any user may use the search engine to identify resources of particular interest on the computer network. Where the computer network includes the Internet, the search engine preferably provides links to various websites on the Internet in response to the user entering a search query. Unregistered visitors or users may use the search engine as represented by block 76. Upon entering the search term or query, a corresponding search of one or more databases such as those stored in storage device 22 is completed. The search includes databases which are accumulated and indexed by various other search engines or computers on the network. The search may be limited to the particular database located on the computer providing the search engine interface, see paragraph 0037, Weitzman);

a query builder module responsive to said limit engine module for formulating a database search query for database data within said supplied by said limit engine module (see paragraph 0037, Weitzman);

a query processor module responsive to said query builder module for processing said database search query formulated by said search query builder module (see paragraph 0037, Weitzman); and

a user display interface for displaying the results of said database search query processed by said query processor module to the database user (see paragraph 0037, Weitzman).

Weitzman does not explicitly indicate the claimed "range of deviation".

Fox discloses the claimed range of deviation (standar deviation are calculated without the largest n-gram frequency value. If the largest value fits within three standar deviation of the mean, then the number is used as the scaling factor, see col. 13, lines 32-35 et seq).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references, because the range of deviation of Fox's teachings would have allowed Weitzman's system to retrieve a documents from a document database by providing users with multiple input interaction mode, in the search engine to limit the information, as suggested by Fox, at col. 3, lines 36-42 et seq.

As to claim 2,

Weitzman teaches wherein said limit engine is programmed to expand a database user's query for specific data to include data within a fixed percentage from the database user's query (see paragraph 0037 and 0038, Weitzman).

As to claim 3,

Weitzman teaches wherein said limit engine is programmed to expand a database user's query for specific data to include data within a fixed statistical standard of data within said database from the database user's query (see paragraph 0051 et seq, Weitzman).

As to claim 4,

Weitzman teaches further comprising a module responsive to said query processor module for database data according to how closely said data matches the database user's query for specific data (see paragraph 0051, Weitzman).

Weitzman does not explicitly indicate the claimed "ranking".

Fox discloses the ranking (a neural network training portion to query a document corpus to retrieve relevant documents. Results of the retrieval engines are fused together and ranked, sée col. 6, lines 5-7 et seq).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references, because the ranking of Fox's teachings would have allowed Weitzman's system to selectively retrieve a documents from a document database to define a dictionary, as suggested by Fox, at col. 4, lines 1-0 et seq.

As to claim 5,

Weitzman teaches further comprising a sort module responsive to said ranking module for sorting said database data into descending order based on the assigned to each item within data by said module (see paragraph 0038, Weitzman).

With respect to claim 6,

Weitzman discloses a method for providing database search query results according to similarity of database objects to search query criteria within a programmable (see paragraph 0015), comprising the following steps:

receiving a database user query input for specific data (the search includes databases which are accumulated and indexed by various other search engines or computers on the network. The search may be limited to the particular database located on the computer providing the search engine interface, see paragraph 0037 and 0046 Weitzman);

expanding said query input to include data within said programmed from said query (the search may be limited to the particular databaselocated on the computer providing the search engine interface. The search term or query entered by the user is used to search a database stored on storage device in addition to one or more search engine available on the Internet, see paragraph 0037, Weitzman);

formulating a database search query for database data within said programmed (member module 24 is primarily directed to obtaining and servicing registered visitors or members of the search engine any user may use the search engine to identify resources of particular interest on the computer network. Where the computer network includes the Internet, the search engine preferably provides links to various websites on the Internet in response to the user entering a search query. Unregistered visitors or users may use the search engine as represented by block 76. Upon entering the search term or query, a corresponding search of one or more databases such as those stored in storage device 22 is completed. The search includes databases which are

accumulated and indexed by various other search engines or computers on the network. The search may be limited to the particular database located on the computer providing the search engine interface, see paragraph 0037, Weitzman);

processing said database search query for database data within said programmed (see paragraph 0051, Weitzman); and

displaying the results of said database search query to the database user (see paragraph 0038, Weitzman).

Weitzman does not explicitly indicate the claimed "range of deviation".

Fox discloses the claimed range of deviation (standar deviation are calculated without the largest n-gram frequency value. If the largest value fits within three standar deviation of the mean, then the number is used as the scaling factor, see col. 13, lines 32-35 et seq).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references, because the range of deviation of Fox's teachings would have allowed Weitzman's system to retrieve a documents from a document database by providing users with multiple input interaction mode, in the search engine to limit the information, as suggested by Fox, at col. 3, lines 36-42 et seq.

As to claim 7,

Weitzman teaches database data within said programmed according to how closely said data matches the user's query for specific data (see paragraph 0051, Weitzman).

Weitzman does not explicitly indicate the claimed "ranking".

Fox discloses the ranking (a neural network training portion to query a document corpus to retrieve relevant documents. Results of the retrieval engines are fused together and ranked, see col. 6, lines 5-7 et seq).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references, because the ranking of Fox's teachings would have allowed Weitzman's system to selectively retrieve a documents from a document database to define a dictionary, as suggested by Fox, at col. 4, lines 1-0 et seq.

As to claim 8,

Weitzman teaches comprising the step of sorting said database data into descending order based on the assigned to each data item within said programmed (see paragraph 0078 and 0083 et seq, Weitzman).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of Time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday to Thursday from 7:30am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107 or TC 2100 customer service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Primary Patent Examiner

AU : 2167

MA

November 02, 2004